

Administrator's Actions

- **Needed by January 21: Administrator's signature requested (OAR):** Notice of Final Action on a Petition: Response to Clean Air Act Section 176A Petition from Maine: In this action, EPA is finalizing an action to grant a petition from the state of Maine to remove a portion of the state from the Ozone Transport Region (OTR). This action represents the first time an EPA Administrator has exercised their authority to remove states or portions of a state from the OTR. EPA is granting the petition based on the reasoning that the portion of the state requested to be removed from the OTR does not contribute to a violation of any ozone standard in any area of the OTR, and that further control of emissions from that portion of Maine will not significantly contribute to attainment of any ozone standard in any area of the OTR. (OAR POC: Mike Koerber, koerber.mike@epa.gov, 919-450-6478)
- **Needed by January 21: Administrator's signature requested (R8):** Final action to approve a North Dakota State Implementation Plan for the Antelope Valley Station and withdraw a Federal Implementation Plan with the same requirements. (R8 POC: Scott Jackson, jackson.scott@epa.gov, 303-312-6107)
- **Needed by January 24: Administrator's signature requested (OMS):** Delegation of Authority 2-93A, Vessel Sewage. (OMS POC: Deborah Ward-Beard, beard.deborah-ward@epa.gov, 513-569-7766)
- **Needed by January 24: Administrator's signature requested (OMS):** 30/40/50 Federal Service Awards. (OMS POC: Kimberly Wheeler, wheeler.kimberly@epa.gov, 202-564-1877).
- **Needed by January 24: Administrator's signature requested (OMS):** Response to Secretary Cardona on Executive Order 14041 on White House Initiative on Advancing Educational Equity, Excellence and Economic Opportunity Through Historically Black Colleges and Universities. (OMS POC: Tania Allen, allen.tania@epa.gov, 202-564-0290)
- **Needed by January 26: Administrator's signature requested (OAR & OP):** Reconsideration of the 2020 National Emission Standards for Hazardous Air Pollutants (NESHAP): Miscellaneous Organic Chemical Manufacturing Residual Risk and Technology Review: In response to the 2020 MON final rule, the Administrator received and granted petitions for reconsideration on two issues, (1) the use of EPA's 2016 IRIS value for ethylene oxide in assessing cancer risk for the source category, and (2) the use of the Texas Commission on Environmental Quality (TCEQ) risk value for ethylene oxide as an alternative risk value to EPA's 2016 IRIS value for purposes of evaluating risk under CAA section 112(f)(2). In this reconsideration, EPA is not changing its decision to use the 2016 IRIS value and is declining to use the TCEQ risk value. As such, EPA is not proposing any changes to our risk assessment for the 2020 MON final rule. **Action tied to "Journey to Justice" announcements.** (OAR POC: Mike Koerber, koerber.mike@epa.gov, 919-450-6478) (OP POC: Bill Nickerson, Nickerson.William@epa.gov, 202-566-0326)
- **Needed by January 26: Administrator's signature requested (OP):** Approval and Promulgation of Air Quality Implementation Plans; North Dakota; Regional Haze State and Federal Implementation Plans (Final rule). EPA is finalizing approval of a State Implementation Plan (SIP) revision submitted by the State of North Dakota on **August 3, 2020**, addressing regional haze. (OP POC: Bill Nickerson, Nickerson.William@epa.gov, 202-566-0326)
- **Needed by January 26: Administrator's signature requested (OP):** Approval and Promulgation of Air Quality Implementation Plans; United States Virgin Islands; Regional Haze Federal Implementation Plan; Correction (Final rule). On **October 22, 2012**, the EPA published a final rule in the Federal Register promulgating a Federal Implementation Plan (FIP) to address regional haze

obligations for the Territory of the United States Virgin Islands. However, at that time, EPA erroneously failed to incorporate into the Code of Federal Regulations (CFR) certain emission limits that had been determined to be necessary to satisfy those obligations and that had been proposed and included in the docket for the action. EPA is correcting this error by incorporating the previously noticed limits into the CFR. (OP POC: Bill Nickerson, Nickerson.William@epa.gov, 202-566-0326)

- **Needed by January 28: Administrator's signature requested (OLEM):** OLEM anticipates the Administrator to sign the proposed rule titled "Hazardous Waste Management System; Integrating e-Manifest with Hazardous Waste Exports and Other Manifest-related Reports, PCB Manifest Amendments and Technical Corrections." (OLEM POC: Dawn Banks, banks.dawn@epa.gov, 202-566-0625)
- **Needed by January 28: Administrator's signature requested (OAR):** Renewable Fuel Standard (RFS) Program: Extension of Compliance and Attest Engagement Reporting Deadlines: EPA is finalizing to extend the Renewable Fuel Standard (RFS) program's compliance reporting deadline and the associated attest engagement reporting deadline for the 2020 and 2021 compliance years for all obligated parties. EPA is also extending the 2019 compliance year for small refineries. This final rulemaking needs to be signed no later than **January 28**, ahead of the existing **January 31** RFS compliance deadline for 2020. (OAR POC: Benjamin Hengst, Hengst.benjamin@epa.gov, 202-564-1495)

Ex. 5 Deliberative Process (DP)

Region 1

Acting Regional Administrator Signature Items

- On **January 18**, R1 signed the Final Outer Continental Shelf (OCS) Air Quality Permit issued for South Fork Wind, LLCs for construction and operation of a 130 MW Windfarm in Federal Waters. (R1 POC: Lynne Hamjian, hamjian.lynne@epa.gov, 617-918-1601)

Hot Topics

- On **January 13**, R1 held a meeting for the **Adam Cleaners Site in Quincy, MA**, to act based on very elevated PCE data collected at the Site. R1 believes that past waste was dumped directly into the floor trench and is continuing to serve as a source for downgradient contamination and soil gas migration. R1 proposes to demolish the building, then excavate soil contamination and reduce the

source area contamination. Region 1 will begin drafting the Action Memo for signature.

- On **January 14**, R1 and the Army Corps had a meeting on the formal dispute for the former Fort Devens site in MA. The dispute is based on Army's failure to respond to multiple requests for investigations and a schedule to conduct a proper Removal Site Evaluation for munitions and explosives of concern (MEC/UXO) in the Nashua River. A follow-up call will be scheduled for the week of **January 17** after the parties share some additional information related to the dispute.
- R1 met with NEWMOA and New England states to discuss the new Sustainable Materials Management grant programs, Solid Waste Infrastructure for Recycling (SWIFR) and Recycling Education and Outreach, to be funded through the Bipartisan Infrastructure Law (BIL). The meeting included a summary of the new grant programs, discussion of the types of organizations and projects eligible in New England and sharing of ideas on how the new programs could be rolled out to benefit the region.
- On **January 13**, R1 sent an email to 44 Massachusetts communities eligible for the Medium Size WWTF General Permit (those with flows between 1 and 5 MGD) inviting them to a **January 25** informational virtual meeting. The meeting will provide background on the new General Permit (GP) and the public comment period. The GP is intended to streamline the efficiency of the permitting process and to ensure consistency for all similar dischargers resulting in the reduction of the regions permit backlog.
- On **January 13**, the Long Island Sound Environmental Justice Workgroup (EJWG) met to discuss FY22 priorities and workplan, and to coordinate EJ efforts across New England and New York. This Environmental Justice Program is an initiative of the LIS program with goals to provide technical assistance to build capacity among organizations that work with underserved, disadvantaged communities, and to administer a pass-through grants program to support projects in those communities.
- On **January 7**, R1 staff participated in the Passamaquoddy Water District (PWD) Stakeholder Meeting with Tribal representatives, Maine Drinking Water Program Staff, and the PWD Certified Operator. The meeting focused on recent DBP results and the planned addition of GAC to the treatment plant this spring.
- As part of the Sole Source Aquifer project review for the proposed Multi-Purpose Machine Gun Range at Joint Base Cape Cod, R1 engaged with ORD and others on the modeling of copper transport through shooting range soils. While the leachability of other metals (such as lead and antimony) has been studied at the site, copper transport has not been evaluated. Results from ORD's analysis on copper leachability will be used to inform next steps for the Sole Source Aquifer review.

Region 2

Hot Topics

- **Limetree Bay Refining: Bankruptcy:** On **January 11** the Bankruptcy Court denied the motion filed by St. Croix Energy for a stay of the sale of the Limetree Bay refinery to West Indies Petroleum Ltd (WIP) and Port Hamilton Refining and Transportation LLLP. The sale closing is scheduled for **January 21** but could be extended to **January 26**. During the hearing on the motion, counsel for Limetree Bay Refining (LBR) said there were "considerable health and safety concerns" that "need to be addressed" at the refinery, and LBR does not have the money to address these concerns. EPA is having an introductory call with WIP on **January 20**.

- **Court Grants Motion to Postpone Hearing in Toa Alta Case:** On **January 12**, the U.S. District Court in Puerto Rico granted DOJ's motion for a postponement of the hearing on the United States' motion for a preliminary injunction in our RCRA Section 7003 case concerning the Toa Alta Landfill. The new hearing date will be **April 25 - 26**. DOJ requested the postponement because of the COVID-related delay of our public meeting about the potential interim settlement between the U.S. and the municipality of Toa Alta.
- **Meeting with Rep. Higgins:** On **January 13**, Regional Administrator Lisa Garcia had a "virtual" meeting with Rep. Higgins. He expressed how pleased he is with the BIL funding for the Great Lakes Restoration Initiative, and that he looks forward to the delisting of the Buffalo River Area of Concern.
- **RSFLAG and Hurricanes Irma and Maria:** EPA R2 staff participated in the RSFLAG Energy Subgroup staff level meeting. HUD noted at the **end of January** there will be a signing ceremony for a Memorandum of Understanding between the Department of Energy (DOE), Department of Homeland Security (DHS), Housing and Urban Development (HUD), and the Government of Puerto Rico to formalize the agencies' commitment to aligning HUD and FEMA funding with long-term resilience and renewable energy objectives. It was also noted that Gretchen Sierra-Zorita, Associate Director for Puerto Rico and the Territories, The White House, would like to participate in the SES level RSFLAG Energy sub-group meetings. Additionally, the Department of Interior is going to set up a meeting of the sub-group agencies with Governor Bryan of the US Virgin Islands when he is in DC **February 2 – 3**.
- **Interagency Meeting on Water Quality Issues on PR Southern Aquifer:** On **January 21** the R2 Caribbean Division is convening an interagency meeting to discuss water quality issues affecting PR's Southern Aquifer, particularly in the municipalities of Guayama, Salinas, Arroyo, and Santa Isabel. This meeting includes PRASA, PR DNER, PR DOH, USGS, and multiple EPA R2 divisions. It is in response to information the PR Chemists' Association (PRCA) released in September 2021 about drinking water samples from 5 homes in Guayama and Salinas. The PRCA indicated that even though the presence of contaminants is low and does not exceed regulatory limits, they advised residents that it is not safe to drink water from the aquifer. They also concluded that there could be a nexus between AES's coal combustion residuals (CCR) and the contaminants (heavy metals) identified in the drinking water samples. At the meeting R2 will gather the most current data on Southern Aquifer water quality from the participating agencies and will discuss recommendations for implementing a long-term water quality monitoring strategy at specific wells that are of concern to the community and other stakeholders.

Ex. 5 Attorney Work Product (AWP)

Miscellaneous

- **SRMT PPG:** R2 RA Garcia is scheduled to participate in a joint signing of the St. Regis Mohawk Tribe Performance Partnership Agreement on **January 25**.

Region 3

Regional Administrator Signature Items

- **January 14:** RA signed the SEMD Standard Chlorine Amendment No. 3 (R3 POC: Paul Leonard, Leonard.Paul@epa.gov, 215-814-3350)
- **January 13:** RA signed the District of Columbia: Final Approval of State Underground Storage Tank Program Proposed FRL-8879-01-R3 & Final Rule FRL-8854-01-R3 (R3 POC: Cassie Kunkle, Kunkle.Cassie@epa.gov, 215-814-3399)
- Conowingo WIP Letter and EPA Evaluation of the Final CWIP (R3 POC: Michelle Price-Fay, Price-Fay.Michelle@epa.gov, 215-814-3397)
- Clarksburg Public Outreach Follow Up Letter (R3 POC: Michael Dunn, Dunn.Michael@epa.gov, 215-814-2712)
- R3-22-000-1613-C, PA Congressional Judith Schwank regarding Clean Up of Exide Laureldale Facility (R3 POC: Paul Leonard, Leonard.Paul@epa.gov, 215-814-3350)

Hot Topics

- **RA Meets with Maryland Congressional Delegation** – On Tuesday, **January 11**, Regional Administrator Adam Ortiz held his first official meeting with members of the Maryland Congressional delegation.
- **RA Speaks with Lancaster Farming and Bay Journal on Bay Restoration** – Continuing a series of media interviews following the submission of Pennsylvania's amended Phase III Watershed Implementation Plan (WIP), Regional Administrator Adam Ortiz spoke separately on Friday, **January 7**, with reporters from the Bay Journal and Lancaster Farming.
- **R3 ECAD Assists Maryland and West Virginia with SDWA Compliance Assurance Actions (WV, MD)** - Both West Virginia's and Maryland's Public Water System (PWS) Supervision Program are significantly understaffed. As a part of R3's role to assist these States in building their enforcement capabilities, EPA aided address non-compliance with the Safe Drinking Water Act (SDWA).
- **Reading, PA and Lynchburg, VA Accomplishments Advance Their Local Lead Action Plans** - During the first quarter of Fiscal Year 22 (FY 22), representatives from R3 LCRD, OPA and ATSDR continued to meet with priority cities, share information and updates, and provide technical assistance.
- **ELSWPEO Initiative Provides Lead-Based Paint Training to Contractors and the Community of Reading, PA** - From October to December 2021, LCRD worked with OPA, EPA HQ, and the City of Reading, Pennsylvania, to implement the Enhancing Lead-Safe Work Practices through Education and Outreach (ELSWPEO) national initiative in Reading, PA.
- **R3 Settles RCRA Hazardous Waste Case Resolving Alleged Violation at TNEMEC Facility in Baltimore [Docket No. RCRA-03-2022-0002]**. On **January 10**, R3 filed a Consent Agreement and Final Order, simultaneously commencing and concluding an administrative action proceeding against TNEMEC Company, Inc.

- **Peck Iron and Metal Superfund Site, Portsmouth City, VA-** EPA contractors will be back onsite to conduct the removal and disposal of a few pieces of radioactive debris beginning **January 11**.

Region 4

Regional Administrator Signature Items

- On **January 18**, the Kentucky Underground Storage Tank State Program Approval codification was signed. (R4 POC: Cesar Zapata, zapata.cesar@epa.gov, 404-562-9744)
- On **January 18**, a response to Congressman John Rose regarding a constituent's request to resolve fines from the Tennessee Department of Environment and Conservation was signed (R4 POC: Brandi Jenkins, jenkins.brandi@epa.gov, 404-562-8257)
- On **January 18**, a response to Commissioner Andy Gipson, Mississippi Department of Agriculture and Commerce regarding flooding in the Yazoo Backwater Area in Mississippi was signed (R4 POC: Susan Park, park.susan@epa.gov, 404-562-9604)
- On **January 18**, the RA signed: Final Rule – Nonattainment New Source Review Requirements for Atlanta (GA-175); Final Rule – Limited Maintenance Plan for 1997 Ozone Standard for Catawba (SC-128); Final Rule – Removal of Vehicle Tampering Provisions (FL-157); Final Rule – Update to Miscellaneous Permitting Provisions for Mecklenburg (NC-238); and Final Rule – Updates for General Provisions (NC-233) for Mecklenburg. (R4 POC: Caroline Freeman, freeman.caroline@epa.gov, 404-562-8976)

Hot Topics

- **New Indy Containerboard Public Meeting:** On **January 25**, R4 will host a hybrid public meeting in Rock Hill, South Carolina to hear public comments on the proposed Consent Decree for the New Indy Containerboard facility. This meeting is for all communities in North and South Carolina, including the Catawba Indian Nation, impacted by the Hydrogen Sulfide (H₂S) concentrations at the facility.
- **Tribal Consultation on Florida CWA Section 404 Assumption:** On **January 26**, R4, OW and OGC, along with US Corps of Engineers Jacksonville District, will hold a follow-up consultation with the Miccosukee Tribe of Indians of Florida regarding the definition of "Indian country," particularly as it relates to certain lands in which the Tribe has interests, including Big Cypress National Preserve and Leased Lands.

Miscellaneous

- **External Engagement in Washington DC:** On **January 11 - 12**, RA Blackman met with Congressional Rep. Bennie Thompson (MS), Rep. Jim Clyburn (SC), Rep. Dianna Harshbarger (TN), Deborah Ross (NC), Rep. Kathy Castor (FL), Rep. Andy Barr (KY) and Senator Tim Scott's Legislative Assistant. A report out will be shared with the Administrator.

- **R4 Key Leadership Internal Retreat:** On **January 13 - 14**, R4 held a Key Leadership Virtual Retreat with Division Directors and Deputies. A report out will be shared with the Administrator.

Region 5

Regional Administrator Signature Items

- On **January 14**, the RA signed an access and license agreement related to the Scanlon Reservoir Project in the St. Louis River AOC in Duluth, Minnesota. (R5 POC: Chris Korleski, korleski.christopher@epa.gov, 312-353-8320)

Ex. 5 Deliberative Process (DP)

- The RA is scheduled to sign an amendment to the GLLA project agreement between EPA and the Minnesota Pollution Control Agency for remediation and habitat restoration at the Ponds Behind Erie Pier site in the St. Louis River AOC in Duluth, Minnesota. (R5 POC: Chris Korleski, korleski.christopher@epa.gov, 312-353-8320)

Hot Topics

- On **January 18**, the City of Flint began switching to 100% reliance on its backup water supply to complete upgrades to its Control Station #2. After this work is completed (in about a month), the city will return to normal water blends. Water quality continues to be monitored and is within acceptable ranges.
- On **January 24**, RA Debra Shore will participate in the Illinois Agriculture Legislative Roundtable hosted by the Illinois Farm Bureau in Bloomington. Other speakers will include staff from the U.S. Senate Agriculture Committee and the director of the Illinois Department of Agriculture.
- On **January 26**, RA Debra Shore will participate in a panel discussion hosted by the Institute of Journalism and Natural Resources where she will talk about Great Lakes Restoration Initiative and the momentum created by the additional funding provided in the BIL. The workshop will include 25 reporters mainly from outlets around the Great Lakes.

Region 6

Regional Administrator Signature Items

- By **January 25**, R6 will respond to correspondence received by R6 from Stafford Frank, Concerned Citizens of Mossville regarding air monitoring question during the December 9th R6 Stakeholders Call. (R6 POC: Dr. Earthea Nance, Nance.Earthea@epa.gov, 214-980-4620)
- By **January 26**, R6 will decide on a final rule to approve in part the CAA section 111(d) state plan for incinerators subject to the Other Solid Waste Incineration unit's emission guidelines in Texas. (R6 POC: Dr. Earthea Nance, Nance.Earthea@epa.gov, 214-980-4620)

Hot Topics

- **Denka Performance Elastomer, LaPlace, Louisiana:** By **January 21**, Denka will collect the first round of samples for lab analysis. The first results are expected to be reported by **February 11**.
- **Northwest Arkansas Conservation Authority and Springdale Water and Sewer Commission, Arkansas:** By **January 21**, R6 will issue the Specific Objection Letters for the Northwest Arkansas Conservation Authority Northwest Arkansas Conservation Authority permit and the Springdale permit.
- **Homestake Mining Superfund Site, Milan, New Mexico:** On **January 19**, R6 will meet with members of the community groups Bluewater Valley Downstream Alliance and Multicultural Alliance for a Safe Environment to discuss cleanup progress at the Homestake Mining Site.
- **January 20 and 27:** SAFETEA Consultations
- **January 27:** U.S./Mexico Border Infrastructure Program project groundbreaking, Village of Vinton, Texas
- **January 27:** USACE 3rd Annual Resource Agency Regional Meeting

Region 7

Regional Administrator Signature Items

- On **January 14**, R7 Administrator Meg McCollister signed the approval documents to approve Missouri's request to redesignate the Jackson and Jefferson County 2010 1-hour SO₂ nonattainment areas to attainment. R7 is concurrently approving Missouri's 10-year maintenance plans for the areas. (R7 POC: Ashley Keas, keas.ashley@epa.gov, 913-551-7629)

Hot Topics

- On **January 11**, R7 held our first meeting with Iowa, Kansas, Missouri, and Nebraska to discuss the Bipartisan Infrastructure Law (BIL) ramp-up, timeline, and spend plan. The purpose of the call was to engage the environmental directors and their respective staff on the timeline and terminology that is associated with the American Rescue Act, BIL, and the potential Build Back Better plan. All four states in R7 appreciated the clear conversation at the regional funding level and indicated a desire, at least in the near term, to focus on BIL funding. Their most important request is a forecast of available funding and eligibility criteria so that they or their constituents could prepare in advance. R7 plans to provide these forecasts as frequently as necessary and to hold BIL coordination calls monthly for the foreseeable future.
- On **January 11**, R7 received a Request for Assistance for a time-critical Removal Action at the former Faball Enterprises Inc., which is a bowling ball manufacturing facility located in Jennings, Missouri. On **October 28**, the abandoned manufacturing building caught fire, leaving the structure damaged and unsafe to enter. The Missouri Department of Natural Resources (MoDNR) conducted an inspection of the partially burnt structure on **November 9, 2021** and noted hundreds of containers of potentially hazardous waste including organic acids and bases, urethanes, polyurethanes, paint waste, low-level radioactive waste, flammable liquids, and other unknown chemicals. R7 is coordinating with the MoDNR, City of Jennings, and the R7 Criminal

Investigation Division and is planning a site visit and initial assessment to determine a proper course of action at the site.

- During the status update conference on **January 14**, Judge Kays ruled in favor of the U.S. by appointing a temporary receiver for HPI Products, Inc. (located in St. Joseph, Missouri), freezing HPI's assets, and enjoining further generation of wastes at HPI's facilities. The temporary receiver must file a status report with the Court within 60 days that summarizes the receivership activities that have occurred to date, along with an assessment of the assets available to fund compliance with the Consent Decree and a proposed plan for administering the receivership going forward, including as appropriate, a plan for recovery and liquidation of all remaining receivership assets. Judge Kays acknowledged the "enormity" of the ruling but emphasized the lack of progress on HPI's part in complying with the Consent Decree.
- On **January 19**, R7 will begin meeting individually with the environmental programs in Iowa, Kansas, Missouri, and Nebraska to discuss and coordinate ideas for R7-led drinking water inspections in FY22 and beyond, as well as pre- and post-inspection coordination practices.
- On **February 1 through February 3**, R7 will host a virtual four-state Drinking Water Administrators meeting to discuss drinking water priorities, the Bipartisan Infrastructure Law, Lead and Copper Rule revisions and primacy, emerging contaminants, and the status of drinking water regulations. Association of State Drinking Water Administrator representatives will also participate, as well as the Office of Ground Water and Drinking Water on select topics.

Region 8

Regional Administrator Signature Items

- **Week of January 17:** Final rule approving the Northern Cheyenne's Tribal Implementation Plan (TIP) to help maintain the National Ambient Air Quality Standards on the Northern Cheyenne Reservation in Montana through an open burning permit program. This is the first TIP in Region 8 and only the fourth nationally since 2000. (R8 POC: Kerri Fiedler, fiedler.kerri@epa.gov; 30-312-6493)

Hot Topics

- **Utah Department of Environmental Quality Posts a Webpage for Their Community Scale Air Toxics Monitoring Grant for Ethylene Oxide** <https://deq.utah.gov/air-quality/ethylene-oxide-study>
- **White Mesa Mill Site Visit Follow-up to CERCLA Off-site Rule (OSR) Determination.**
 - On **January 13**, R8, accompanied by OAR Radiation Protection Division staff and Utah Department of Environmental Quality staff, conducted a site visit of the White Mesa Mill in Blanding, Utah.
 - EPA confirmed the drawdown of liquids and exposed materials in the impoundment, took emissions readings, and held discussions with Energy Fuels representatives.
 - R8 and OAR-RPD will the week of **January 17** to discuss next steps leading to EPA's final CERCLA OSR Determination.

- **North Dakota Draft State Implementation Plan (SIP) for Round Two Regional Haze**
 - R8 will be sending a comment letter this week with several significant comments that may ultimately relate to the approvability of North Dakota's SIP.
 - Despite high contributions to anthropogenic visibility impairment in both in-state and out-of-state Class I areas from coal-fired electric generating units (EGUs) in North Dakota, the state does not require any emission reductions from EGUs.
 - North Dakota failed to provide any additional emission reductions for the second planning period.
- **Upper Missouri Waterkeeper (Waterkeeper) has filed a Notice of Intent to Sue on the basis that EPA has failed to approve or disapprove Montana's revised water quality standards**
 - Waterkeeper could first file a legal challenge on **March 11**.
- **City of Helena Sues EPA over NPDES Enforcement's Unilateral Administrative Order for Compliance and Asks Regional Judicial Officer to Stay Pending Administrative Penalty Proceeding.**

Region 9

Hot Topics

Drinking Water Emergency at Joint Base Pearl Harbor-Hickam (HI)

- Under an Interagency Agreement with the U.S. Navy, EPA is participating in the multiagency response to contamination of the Red Hill drinking water system in Pearl Harbor that occurred in November of 2021. EPA is also providing technical assistance to the Hawaii Department of Health. As of **January 18**, rapid flow flushing to cleanse the water distribution system has been completed in 13 of 19 zones, and residential flushing and sampling is complete in 4 zones and pending in 2; sampling data for all zones await validation. EPA has three on-scene coordinators, three expert members of its Water Emergency Team, and two Public Information Officers onsite. EPA's mobile lab, PHILIS, is deployed at Seal Beach, CA to assist with analytical capacity. This week, the Interagency Team is focused on the development and implementation of a data management tool and system to be used to communicate drinking water results to the public. The process for approval on the release of this information is currently being development by the Interagency Team.

Superfund Job Training Initiative Graduation in Superior, Arizona

- On **January 21**, we will join the Mayor of Superior, AZ to mark the graduation of local residents from the four-week Superfund Job Training Initiative program that provides residents near the Asarco Superfund site with the skills and certifications necessary to fill environmental jobs related to the Superfund cleanup. R9 will issue a press release to publicize.

Virtual Winter Regional Tribal Operations Committee Meeting

- On **January 25 - 27**, we will convene the quarterly RTOC. The agenda will include an update from the AIEO, a Climate Change Adaptation Plan Listening Session, and presentations on pesticides, mining, and other technical break-out sessions.

Union Sanitary District WIFIA Event

- On **January 19**, RA Guzman participated in a press event to advance EPA messaging on the Bipartisan Infrastructure Law related to water and to announce a \$250M WIFIA loan to Union

Sanitary District. The loan will fund upgrades to improve wastewater treatment, reduce nutrient discharges to the San Francisco Bay, and increase resiliency to climate change.

Guam Field Constructed Tanks

- On **January 14**, along with Guam EPA, we jointly signed letters to Andersen Air Force Base and Naval Base Guam following up on outstanding action items from the August 2020 reports of findings from Field Constructed Tank and Airport Hydrant System evaluations we jointly performed in November 2019.

Region 10

Acting Regional Administrator Signature Items

- **January 18** – Federal Register Notice: FRL-9189-02-R10 Yakima, WA Wood Heaters final rule. (R10 POC: Lucy Edmondson, Edmondson.Lucy@epa.gov, 206-735-5301)

Hot Topics

- **R10 Launches \$50M Puget Sound Tribal Request for Applications with BIL Funds (WA):** The week of **January 18**, R10 will issue an RFA for a five-year, up to \$50M program for priority tribal projects in Puget Sound funded wholly with Bipartisan Infrastructure Law funds.

Miscellaneous

- **Chugach Electric Association PCB Risk-Based Disposal Approval (AK):** R10 has issued a PCB risk-based disposal approval to Chugach Electric Association in Anchorage, Alaska. The approval is the first of its kind nationally to require a climate change vulnerability assessment as an approval condition.
- **Arctic Executive Steering Committee: Sustainable Water Infrastructure Initiative:** On **January 18**, R10 will join OITA AA Nishida and OW representatives in a meeting to discuss DOI's Assisting Environmentally Threatened Communities and EPA's Improving Water and Sanitation Services proposals under the Arctic Executive Steering Committee.
- **EPA Takes Over Operating Moses Lake Wellfield Site (WA):** On **January 16**, following a two-year proof of operability period led by the Army Corps, EPA assumed operations and maintenance of a groundwater pump and treat system at the Moses Lake Wellfield Site. The pump and treat system, removes TCE, and reinfilters the clean water back into the ground.
- **Responding to Public Comments: Earle M. Jorgensen Site/Lower Duwamish Waterway (WA):** This week EPA will notify the public of an additional opportunity for comment on a revised engineering evaluation/cost analysis for the site which will include an option for full removal of PCB contaminated sediments.
- **New EPA/US Coast Guard Spill Response MOU (AK):** On **January 12**, R10 and the US Coast Guard District 17 entered a new Memorandum of Understanding related to oil and chemical spill

response jurisdictional boundaries in Alaska. EPA and the US Coast Guard share responsibility for oil and chemical spill response in Alaska. This MOU replaces one from 1994 and includes important updates.

Office and Air and Radiation

Acting Assistant Administrator Signature Items

- On **January 13**, Director of the Office of Atmospheric Programs (OAP) Chris Grundler signed the Protection of Stratospheric Ozone: Determination 37 for Significant New Alternatives Policy Program. This determination of acceptability expands the list of acceptable substitutes pursuant to EPA's Significant New Alternatives Policy program. This action lists as acceptable additional substitutes for use in the refrigeration and air conditioning; foam blowing; aerosols; cleaning solvents; and adhesives, coatings, and inks sectors. (OAR POC: Suzie Kocchi, kocchi.suzanne@epa.gov, 202-343-9387)

Hot Topics

- As early as **January 19**, OAR plans to submit to OMB its first annual "Bipartisan Infrastructure Law Clean School Bus Program: Initial Implementation Report to Congress." Under Title XI: Clean School Buses and Ferries, the Bipartisan Infrastructure Law (BIL) provides \$5 billion over five years (FY 2022-2026) for the replacement of existing school buses with clean school buses and zero-emission school buses. In this first annual report to Congress, EPA provides an overview of the Clean School Bus Program, EPA activities to date, and upcoming milestones. The report needs to be submitted to Congress by **January 31, 2022**.
- On **January 21**, OAR plans to submit to OMB for interagency review the proposed rule, Federal Implementation Plan Addressing Regional Ozone Transport for the 2015 Ozone National Ambient Air Quality Standards. The proposed rule aims to ensure states meet their obligations under the "Good Neighbor" provision of the Clean Air Act to eliminate significant contributions to nonattainment and maintenance of the 2015 ozone National Ambient Air Quality Standards in downwind states.
- On **January 18**, EPA made available modeling data including projected ozone design values for 2023, 2026, and 2032 and ozone contributions in 2023 and 2026 at individual monitoring sites, nationwide. These data are based on the 2016v2 emissions platform (<https://www.epa.gov/air-emissions-modeling/2016v2-platform>). While these data do not reflect any policy or regulatory decisions, EPA expects to use this information in upcoming rulemaking actions, including ozone transport actions. States could also use this information to the extent they wish to review their implementation plans with respect to interstate transport for the 2015 ozone standards. The data are available at: <https://www.epa.gov/air-emissions-modeling/2016v2-platform>.
- On **January 21**, EPA is announcing initiatives and tools to support state and local efforts to reduce greenhouse gas emissions from buildings. EPA's policy guidance includes analysis and recommendations of metrics, best practice toolkits including the Benchmarking and Building Performance Standards Policy Toolkit and peer networks. EPA is also providing a framework for selecting metrics and setting performance levels for building performance standards. This will help policymakers establish baselines and performance levels that achieve efficiency and emissions goals feasibly and equitably. This announcement is part of the White House's launch of a National

Coalition of State and Local Governments committed to implementing building performance policies and programs. To support this new coalition, the Council on Environmental Quality, the Department of Energy, and the Environmental Protection Agency will initiate policies and programs to help kickstart building performance standards and policy innovation across the country.

- On **January 24**, EPA is releasing a new edition of the Emissions and Generation Integrated Resource Database (eGRID) with 2020 data. eGRID is a comprehensive database of the environmental characteristics of almost all electric power generated in the United States. This includes fuel mix and associated emissions of SO₂, NO_x, Hg, and CO₂. The data are widely used by EPA and others to show the environmental characteristics of electricity generation as well as to calculate emissions reductions associated with reduced electricity demand. For more information about eGRID and to see the newly added data: <http://www.epa.gov/egrid>.
- Lieutenant Commander (LCDR) Daniel Malashock, who works in the Indoor Environments Division of the Office of Radiation and Indoor Air (ORIA), received the **2021 Environmental Health Officer Responder of the Year Award**. The purpose of the Environmental Health Officer (EHO) Responder of the Year Award is to recognize individual EHO excellence in achieving the U.S. Public Health Service (USPHS) mission of improving the Nation's health through the practice of environmental health during emergency preparedness, disaster response, and contributions to national or international public health threats. Over the course of the COVID-19 Pandemic, LCDR Malashock deployed five times on behalf of the USPHS Commissioned Corps in varying field, technical, and leadership roles. He served as Chief Safety Officer for the Commissioned Corps Headquarters (CCHQ) Command Cell ensuring the safety and welfare of over 300 field-deployed officers across more than 30 CCHQ missions. LCDR Malashock deployed to Washington State as a Lead Safety Officer to oversee the safe administration of COVID-19 vaccines to vulnerable and at-risk communities, to Minnesota evaluating infection prevention and control (IPC) needs and implementation of interventions, and to provide safety and IPC technical assistance to hospitals impacted by Hurricane Delta.

Office of the Chief Financial Officer

Hot Topics

- On **January 26**, the OCFO will convene the Strategic Plan Core Team to reach decisions for the *Final Draft FY 2022-2026 EPA Strategic Plan*, including changes to address Core Team comments and input received from EPA's National Environmental Justice Advisory Committee, to strengthen attention to the Bipartisan Infrastructure Law, and finalize Long-Term Performance Goals and FY 2022-2023 Agency Priority Goals. We are awaiting OMB's updated schedule for submission of the Final Draft Strategic Plan, which we expect to be the end of January.
- OCFO continues to work with key senior officials and program offices to implement the Infrastructure Investment and Jobs Act (IIJA). The FY 2022 Spend Plan remains at OMB for clearance to send to the appropriations committees. On **January 18**, OCFO sent OMB an update using the template OMB requested and OCFO continues to respond to OMB's questions about the plan. On **January 13**, OCFO issued guidance to the resource community on establishing and using payroll work codes to properly charge payroll funds. OCFO also made available 30 days of initial IIJA funding while the full year plan is awaiting clearance. The 30-day budget supports limited activities where national programs indicated a need early on for resources.

Miscellaneous

- OCFO has completed the update of EPA Order 1000.24, Management's Responsibility for Enterprise Risk Management, and Internal Control. During the update, there was a recommendation for OCFO to establish a "Management Integrity Coordinators" workgroup. We support this recommendation and will further explore ways to enhance cross-agency communication with this group. The EPA Order 1000.24 can be found on the [OCFO's SharePoint site](#).
- OCFO is finalizing updated guidance on COVID-19 pandemic travel, which will set forth direction for the EPA's non-bargaining unit employees traveling during the COVID-19 pandemic. The policy is in accordance with President Biden's Executive Orders, *Requiring Coronavirus Disease 2019 Vaccination for Federal Employees* and *Ensuring Adequate COVID Safety Protocols for Federal Contractors* and CDC's Guidance for Fully Vaccinated People, as well as the General Services Administration's Federal Travel Regulations and the agency's Resource Management Directive System 2550B Official Travel Manual. The Agency is currently under negotiations with its unions for bargaining unit employees.

Office of Congressional and Intergovernmental Relations

Hot Topics

- **January 18-** Senate Agriculture minority staff briefing on chlorpyrifos QFRs w/OCSPP
- **January 19-** Briefing for Rep. Stefanik's (NY) staff on EPA's Acid Rain program.
- **January 19-** Briefing for Senators Smith (MN) and Klobuchar (MN) staff on chlorpyrifos w/OCSPP
- **January 19-21-** The United States Conference of Mayors will host its 90th Annual Winter Meeting in Washington, DC. Administrator Regan is scheduled to address the U.S. Conference of Mayors at a Plenary Breakfast Meeting. Additional EPA participants during other parts of the USMC Meeting will include Office of Water Deputy Assistant Administrator, Bruno Pigott and Office of the Chief Financial Officer Senior Policy Advisor, Ed Walsh.
- **January 19 -** Administrator Regan will meet Mayor Cantrell of New Orleans to discuss concerns raised during Administrator Regan's recent visit and tour of the Gordon Plaza affordable housing development, and to discuss a recent phone call with the Mayor and Dr. Wright of the Deep South Center.
- **January 19-** Administrator Regan and Mayor Lumumba of Jackson, Mississippi will meet to follow up on Administrator Regan's recent visit to Jackson and the significant water infrastructure needs facing the city.
- **January 20-** National Caucus of Environmental Legislators is hosting EPA to discuss the water, land, air, and pollution prevention funding in the BIL.
- **January 20-** Association of State and Territorial Health Officials (ASTHO) and the Environmental Council of the States (ECOS), in coordination with ORD, will host the first of a two-part listening session series on resilience and vulnerability to complex disasters.
- **January 21-** National Conference of State Legislators is hosting OW leadership to discuss BIL funding.

- **January 21(T)**- Briefing for Rep. Brad Schneider (D-IL-10) staff re: NRG Waukegan Plant and CCR.
- **January 28**- Briefing for Senators Portman and Shaheen staff regarding Energy Star standards for residential buildings.
- **February 1(T)**- • Briefing for House Energy and Commerce Committee, Subcommittee on Oversight and Investigations, bipartisan staff on EPA's Enforcement Program updates.

Office of Chemical Safety and Pollution Prevention

Assistant Administrator Signature Items

- **AA Signature projected by January 18 (OCSPP):** An FR document announcing that there will be a 3-day public peer review virtual meeting of the Science Advisory Committee on Chemicals (SACC) to consider and review the draft EPA TSCA Screening Level Approach for Assessing Ambient Air and Water Exposures to Fenceline Communities. In addition, EPA is announcing the availability of and soliciting public comments on the draft approach, which will be presented as a screening level methodology for assessing potential air and water chemical exposures to fenceline communities. (OCSPP POC: Angela Hofmann, hofmann.angela@epa.gov, 202-564-0258)
- **Pending AA Signature by January 21 (OCSPP):** The OCSPP AA will sign a Federal Register document that notifies the public as required by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) that the following draft regulatory document was forwarded to USDA for review under FIFRA: "Proposed Rule; Pesticides; Certification of Pesticide Applicators; Further Extension to Expiration Date of Certification Plans (RIN 2070-AL01)." This proposed rule would further extend from **November 4, 2022** the date by which certification plans, modified to comply with stronger federal standards for people who apply restricted use pesticides, must be approved, and allow existing plans to remain in place during this extension. The Federal Register document is not available to the public until after it has been signed and made available by EPA, which is expected to occur later in January. At the same time, the OCSPP AA will sign letters to USDA and select Congressional Committees to transmit the draft regulatory action as required by FIFRA. OCSPP will proceed to sign and publish the proposed rule after completion of the USDA review under FIFRA (OCSPP POC: Peter J. Smith, smith.peterj@epa.gov; 202-564-0262)

Hot Topics

- EPA will announce that the agency will extend supply chain flexibilities for registrants of non-antimicrobial pesticide products for another year. Due to continued disruptions in production, EPA is allowing registrants to substitute a combination of pre-approved alternate inert ingredients for inert ingredients derived from propylene oxide feedstocks.
- EPA will release a proposed screening level methodology to evaluate potential chemical exposures and associated potential risks to fence line communities (i.e., communities near industrial facilities). Under the previous Administration, the first 10 risk evaluations under TSCA did not assess air, water, or disposal exposures to the general population because these exposure pathways were already regulated, or could be regulated, under other EPA-administered statutes such as the Clean Air Act, Safe Drinking Water Act, or Clean Water Act. The approach to exclude certain exposure pathways also resulted in a failure to address potential exposures consistently and comprehensively to potentially exposed or susceptible subpopulations, including fence line

communities. EPA will also announce a meeting of the Science Advisory Committee on Chemicals (SACC) on **March 15 - 17**, to review the methodology.

- EPA will announce a new effort under TSCA to streamline the review of new chemicals that could be used to displace current, higher greenhouse gas emitting transportation fuels. Through this effort, the agency will implement a robust, consistent, and efficient process to assess the risk and apply mitigation measures, as appropriate, for substitutes to petroleum-based fuels and fuel additives that use biobased or waste-derived sources to produce biofuels. EPA is also launching outreach and training for interested stakeholders in the biofuels sector to review TSCA requirements, outline the streamlined approaches for risk assessments and risk management actions, and provide information on how to navigate the new chemicals premanufacture notice (PMN) process.
- EPA will announce that the agency will not proceed with a reopening of the Active-Inactive rule. In January 2021, EPA announced that it was reopening the reporting period under the TSCA Active-Inactive Rule where companies identified chemicals that were manufactured, imported, or processed in the United States during the 10-year period ending on **June 21, 2016**. However, this action was not published in the Federal Register. The decision follows review in accordance with the Regulatory Freeze Pending Review Memorandum that White House Chief of Staff Ronald Klain issued on **January 20, 2021**.
- On **January 20**, OCSPP Assistant Administrator Michal Freedhoff will give remarks about the importance of sound science in OCSPP's work at the American Chemical Society (ACS)'s Chief Technology Officer Summit.
- On **January 26**, OCSPP Assistant Administrator Michal Freedhoff will be speaking at the Office of Pollution Prevention and Toxics (OPPT)'s Quarterly Meeting with the Environmental Council of the States (ECOS) TSCA Workgroup.

Office of Enforcement and Compliance Assurance

Hot Topics

- **Monsanto Sentenced on Pesticide and Hazardous Waste Crimes in Hawaii:** Monsanto instructed workers to go into corn fields on Oahu in 2020 after a product named Forfeit 280 was sprayed. Federal law prohibits people from entering areas where the pesticide was sprayed within six days of application. Monsanto pled guilty to 30 counts of violating FIFRA. The company also plead guilty to two felonies related to unlawfully storing PennCap-M, an acute hazardous waste. On **January 6**, Monsanto was sentenced for illegally using pesticides in a manner inconsistent with its labeling and illegally storing hazardous waste and ordered to pay a criminal fine of \$6 million and a community service payment of \$6 million.

Miscellaneous

- **Mid-Atlantic Regional Air Management Association Workshops:** On **January 13 and January 20**, OECA's Air Enforcement Division will be participating in Mid-Atlantic Regional Air workshops on tampered vehicles and combating regional ozone and toxic particulate matter emissions. The first presentation by the Air Enforcement Division was focused on EPA's National Compliance Initiative on Stopping Aftermarket Defeat Devices. The second presentation will provide instruction on how to conduct inspections of potentially tampered vehicles.

Office of General Counsel

Hot Topics

- New Decision: *EDF v. EPA* (17-cv-2220) - On **January 13**, Judge Amit Mehta of the District Court for the District of Columbia issued a decision in a FOIA case that concerned Plaintiff's Motion for Attorney Fees and Costs. The case involved three FOIA requests: (1) conflicts of interest for Administrator Pruitt, (2) direction to EPA staff on communicating with the public about science, and (3) Administrator Pruitt's calendar. The Court held that Plaintiff was eligible for fees and found EPA's arguments that the failure to respond the FOIA requests was due to an "unprecedented" increase in FOIA requests and other "exceptional circumstances" unpersuasive given the Court's ordered production schedule and the duration of the litigation after the production of records.

Miscellaneous

- New Litigation: *East Yard Communities for Environmental Justice et al. v. EPA*, No. 1:22-cv-00094 (D.D.C.) – On **January 14**, Mandatory duty suit to compel EPA to undertake review and revision of the standards under section 129 of the CAA for Large Municipal Waste Combustors.

Office of International and Tribal Affairs

Assistant Administrator Signature Items

- This week, Assistant Administrator Nishida will be signing a memo on Recommendations, Options and Topics for Improving EPA's Tribal Consultation Policy and Process. These recommendations are a follow up to the **January 26, 2021**, President Biden issued an Executive Memorandum entitled *Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships* (Executive Memorandum). (OITA POC: Angela Hackel, hackel.angela@epa.gov, 202-763-3945)

Hot Topics

- On **January 13**, EPA (OITA and R6) hosted a consultation with Oklahoma Tribal nations on the **December 22**, withdrawal, and reconsideration of the Agency's decision from **October 1, 2020**, granting the State of Oklahoma's request to extend its EPA-approved environmental regulatory programs into certain areas of Indian country within Oklahoma. On **January 20**, EPA (OITA and R6) will participate in a consultation on SAFETEA with the Osage Nation and on **January 27**, EPA will participate in a consultation with the Pawnee Nation. The comment period on the proposed withdrawal and reconsideration ends on **January 31**.
- On **January 31**, the White House Council on Native American Affairs (WHCNA) will host its first engagement session with Tribal leaders, as announced by Secretary Haaland at the 2021 White House Tribal Nations Summit. Administrator Regan will speak on the Bipartisan Infrastructure Law (BIL), alongside Secretary Buttigieg (DOT), Secretary Raimondo (Commerce) and Secretary

Jennifer Granholm (DOE). Additionally, the implementation of the Executive Order on Improving Public Safety and Criminal Justice for Native Americans and Addressing the Crisis of Missing and Murdered Indigenous People will also be discussed. The goal of the Tribal leader engagement sessions is for Tribal leaders to have meaningful input on the policies and deliverables of the WHCNA and these sessions will occur three times a year, in addition to the White House Tribal Nations Summit. Tribal engagement sessions respond to long-standing requests from Tribal leaders since the Obama Administration to “have a seat at the table” and participate on the WHCNA.

- On **January 26**, EPA Administrator Regan will meet with the UN Food and Agriculture Organization Director General Dr. Qu Dongyu. Topics will focus largely on food waste and climate; water and other relevant areas of work may also arise. This meeting serves as an opportunity to establish a high-level relationship with FAO and identify potential areas of collaboration.
- On **January 18**, EPA Administrator Regan, and the World Health Organization's Director-General Tedros Adhanom signed a new EPA-WHO Memorandum of Understanding covering a range of environment and health issues.

Office of Land and Emergency Management

Acting Assistant Administrator Signature Items

- **Brownfields Job Training Grants.** On **January 18**, the selection briefing took place with OLEM Senior Leadership. OLEM will work with the AO to announce the grants by **February 4**. (OLEM POC: David Lloyd, lloyd.davidr@epa.gov, 202-680-4205)

Hot Topics

- **Tribal Waste and Response Steering Committee Meeting.** On **January 20**, OLEM Leadership will participate in this virtual meeting.
- **Association of State and Territorial Solid Waste Management Officials (ASTSWMO) Meeting and R9 Site Visits.** On **January 24 – February 1**, Carlton Waterhouse will be meeting with the ASTSWMO Board of Directors in Guam. He will also participate in community meetings with R9 in Hawaii and participate in a site visit of the Argonaut Mine site in Sacramento, CA.
- **Non-Hazardous Secondary Materials (NHSM).** The NHSM Standards Petition Response package was signed by the Administrator on **January 14**. We anticipate publication in the FR soon.
- **Risk Management Program Retrospection Notice of Proposed Rulemaking (NPRM).** On **December 16**, option selection was held.
- **Clean Water Act Hazardous Substances Worst Case Discharge NPRM.** The rule package was submitted to OP for OMB review on **January 12**. OMB has agreed to an expedited 45-day review, to meet a **March 12** consent decree deadline.
- **Designation of PFOA and PFOS as CERCLA Hazardous Substances NPRM.** The package was submitted by OP for OMB review on **January 7**.
- **Revisions to the National Oil and Hazardous Substances Pollution Contingency Plan Subpart J.** Option selection is scheduled for **February 2**.

- **Ongoing major Federal Facilities and Superfund National Priorities List (NPL) sites.** We are working with R4 on Oak Ridge Reservation; R6 on Chevron/Questa; R7 on Big River Watershed; and R9 on Hunters Point Naval Shipyard.
- **National Brownfields Training Conference.** This conference is now scheduled for **August 16 – 19.**

Office of Mission Support

Hot Topics

- On **January 10** the EPA implemented a contract with Handshake, an online platform for college students. This will expand EPA's ability to market jobs and events to college students and underrepresented populations.
- The Grants Management Officer (GMO) Winter Workshop will be held on **January 18 and 19**. Topics for discussion center around grants operations – including: systems, policies, workload, new funding, and more. Arron Helm, Acting Deputy Assistant Administrator for Administration and Resources Management will be making the opening remarks for the workshop.
- EPA'S National Hiring Outreach Series for Minority Serving Institutions takes place from **January 18 to February 1**. Dates, times, and links can be found on [@EPAJobs Twitter account](#), [the Careers Events Page](#), and is scheduled for EPA's main LinkedIn, Facebook, and Twitter accounts. Deputy Administrator Janet McCabe will be presenting at all five events, with additional senior leadership joining as Q&A panelists.
- An OAR-led collaboration with OECA, OMS, OGC, and Customs and Border Protection (CBP) is implementing the capability for required filing and monitoring of Hydrofluorocarbon (HFC) imports to operationalize a September 2021 final rule under the American Innovation and Manufacturing (AIM) Act. The capability for filing and monitoring of HFCs supports the White House-initiated Task Force to detect, deter, and disrupt any attempt to illegally import or produce HFCs in the United States. HFC import filing and monitoring capabilities are being implemented using an OAR allowance and tracking system, OMS data exchange services, and the CBP-hosted "Single Window" for regulated import filings to over 42 agencies known as the Automated Commercial Environment (ACE).

Office of Policy

Hot Topics

- **Green Infrastructure and Flood Resilience Workshop with Nolensville, TN** – On Wednesday, **January 12**, OCR and consultants from Horsley Witten hosted a meeting with the Nolensville Board of Commissioners and Town Planning and Engineering staff to present environmental assessments and discuss targeted updates to the Zoning Code and Major Thoroughfare Plan to include green infrastructure and flood resilience strategies, including use of EPA's Water Quality Scorecard and Flood Resilience Checklists. The goal of the project is to identify resilience strategies and actions that reduce flood risk, protect the integrity of Mill Creek and its tributaries,

provide open space accessibility and connectivity, and preserve a sense of place and rural character in Nolensville. OCR Lead: Abby Hall.

- **Presentation on the ARC-X System to Chevron:** On **January 26**, at the invitation of Dr. Arthur Lee (Principal Sustainability Advisor; IPCC Author), Joel Scheraga will give a webinar presentation about the ARC-X system to the Chevron Climate Energy Environment Series. The presentation is entitled, "Update on EPA's Climate Change Adaptation Resource Center (ARC-X): Empowering Communities to Prepare for the Impacts of Climate Change". It follows a previous presentation Scheraga gave about the ARC-X system as part of the webinar series, which led to an interest by Chevron and others with the possible use of the ARC-X system to support the efforts of businesses, as important members of communities, to increase their resilience to the impacts of climate change. Joel will emphasize again the benefits provided by the ARC-X system to communities, discuss enhancements that have been made and are being made to the system, and demonstrate its functionality.
- **Presentation to FEMA's Mitigation Framework Leaders' Group:** EPA has been invited to join FEMA in a presentation to the Mitigation Framework Leaders' Group (MitFLG) on **January 27**. The presentation will discuss FEMA's work on building codes to date, including outreach seek views from key agencies like EPA. CEQ/David Hayes will also speak on building codes at the meeting. We understand that he will give a charge to the MitFLG to take up building codes work related to the National Building Code Strategy as part of the National Climate Strategy and aligned to the National Mitigation Investment Strategy.

Office of Research and Development

Acting Assistant Administrator Signature Items

- By **January 21**: The annual call memo for the Embassy Science Fellows program for AA review, signature, and transmittal by Wayne Cascio. (ORD POC: Mary Ross; ross.mary@epa.gov, 202-564-8379)

Hot Topics

- **OSTP Scientific Integrity Task Force Report:** On **January 11**, the Office of Science and Technology Policy (OTSP) Scientific Integrity Taskforce released the report, *Protecting the Integrity of Government Science*. The report assesses scientific integrity policies of Federal agencies, identifies instances in which policies have not been followed or enforced, and provides effective practices for strengthening scientific integrity. The report is intended to assist in creating, updating, and implementing scientific integrity policies.
- **SBIR Phase II Awards:** ORD announced nearly \$3.6 million in funding for contracts with 9 U.S. small businesses as part of Phase II of the SBIR Program. Recipients of Phase II SBIR funding receive up to \$400,000 to further develop and commercialize their novel environmental technologies. This year's Phase II recipients are developing technology solutions for environmental challenges including water reuse, PFAS contamination, and plastic waste.
- **Partner Review of Strategic Research Action Plan (StRAP):** As part of the ongoing research planning, ORD will be sending draft StRAPs to our program and regional partners for review this week. Comments are requested by **February 4**.

- **New Research Funding Opportunity: Drivers and Environmental Impacts of Energy Transitions in Underserved Communities:** The Request for Applications will be open **January 18** through **April 27**. EPA is seeking applications proposing community-engaged research that will address the drivers and environmental impacts of energy transitions in underserved communities.
- **PFAS Technical Assistance Request: Meeting with NCDEQ:** On **January 19**, ORD will participate in a meeting with the North Carolina Department of Environmental Quality regarding a recent request for EPA assistance related to PFAS. The meeting is being convened by R4. A follow up meeting, if needed, is tentatively planned for **January 27**.
- **Addressing State, Tribal, and Local Needs related to Wildland Fire and Climate & Equity Research:** On **January 25**, ORD will provide an overview of the response to the feedback received during the state, local and tribal agency listening sessions held in 2021 on wildland fires and climate & equity. The webinar will consist of an overview of the listening sessions including what we heard from states, tribes, and local agencies, and how ORD is incorporating that input in the current research planning process.
- **PFBA IRIS Assessment Peer Review (February 22 - 23):** The Peer Review meeting for PFBA was announced this week on the IRIS website and via the Listserv.
- **Draft IRIS Assessment for PFDA:** This week the Draft IRIS Assessment for PFDA is anticipated to advance to Agency Review (Step 2) for 4 weeks.

Office of Water

Hot Topics

- On **January 18**, EPA intends to issue the 2022 National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) for stormwater discharges from construction activity. Effective for five years, the permit will provide coverage to eligible existing and new stormwater discharges (i.e., coverage for an estimated 13,000 construction projects) where EPA is the NPDES permitting authority, including Massachusetts, New Hampshire, and New Mexico, most Indian country lands, Puerto Rico, the District of Columbia, and most U.S. territories and protectorates. On **January 12**, OMB concluded interagency review of the final 2022 CGP for stormwater discharges. All 10 Regions will sign the permit on **January 18** and the permit will have an effective date of **February 17**.
- On **January 19**, Administrator Regan will announce three WIFIA loans totaling over \$690 million. Together, the projects financed by these loans are expected to create over 4,000 jobs:
 - \$396M to Baltimore, MD to enable the city to proactively implement projects to improve the reliability and resiliency of its water systems. Through WIFIA, the city will save approximately \$100 million while project construction and operation are expected to create an estimated 2,700 jobs.
 - \$250M to Union Sanitary District in California to help fund upgrades to aging water infrastructure that will provide better wastewater treatment, reduced nutrient discharges to the San Francisco Bay, and increased resiliency to impacts of climate change. The project will serve over 357,000 people and the San Francisco Bay area with reduced nitrogen and ammonia discharges and extreme wet weather components.
 - \$42M to Milwaukee Metropolitan Sewerage District to expand its stormwater management capacity and reduce flood risk in historically underserved communities. Project construction

and operation are expected to create an estimated 130 jobs. The project will serve Milwaukee's population of approximately 1.1 million people.